

### **Remarks**

Reexamination and reconsideration in light of the foregoing amendments and the following remarks is respectfully requested.

Claims 2-13 are pending in this application. Claim 1 has been canceled without prejudice or disclaimer. Applicants note the Examiner's consideration of the references cited in the Information Disclosure Statement filed April 26, 2002 as acknowledged in the Office Action Summary. Applicants further note the Examiner's acknowledgment of Applicants' claim for foreign priority under 35 U.S.C. § 119 and receipt of the certified priority document.

#### **REJECTION UNDER 35 U.S.C. § 112**

Claims 6 and 11-13 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for the following reasons:

1. The Examiner found claim 6 to be indefinite because "it is unclear what a 'natural gas type Fischer-Tropsch wax defines.'" In claim 6, the expression "natural gas type Fischer-Tropsch wax" has been replaced with "--Fischer-Tropsch wax formed from natural gas--". See Kubota U.S. Patent 5,780,197, Examples 1-4, wherein "FT100" was referred to as "Fischer-Tropsch wax formed from natural gas". It is believed that by this amendment, the rejection as to claim 6 is overcome.

2. The Examiner found claim 11 to be indefinite because "there is no antecedent basis in claim 1 for inorganic fine powder ...." In order to overcome this rejection, claim 11 has been amended to be dependent on claim 9. It is believed that by this amendment, the rejection as to claims 11-13 is overcome.

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

Claims 1, 3 and 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Takagi et al. (U.S. Patent No. 5,439,772); claims 1, 3, 4 and 7 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Grushkin (U.S. Patent No. 5,914,209); and claims 5, 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Grushkin (U.S. Patent No. 5,914,209) in view of Hashimoto (U.S. Patent No. 6,465,144). In view of the Examiner's indication of allowable subject matter in claim 2, claim 1 has been canceled and claim 2 has been rewritten in independent form to include all of the limitations of claim 1. Also, claims 3-5, 7, and 9, which were dependent on claim 1, have been amended to be dependent on claim 2. In view of these amendments, claims 3-13 as amended include the limitations of claim 2, which has already been indicated to contain allowable subject matter by the Examiner. Accordingly, it is believed that the rejections of claims 3, 4 and 7 under 35 U.S.C. § 102(b) and the rejection of claims 5, 9 and 10 under 35 U.S.C. § 103(a) have been overcome, and claims 3-5, 7, 9 and 10 are now in allowable condition.

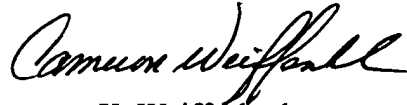
For the foregoing reasons, it is submitted that the claims 3-7 and 9-13 comply with the requirements of 35 U.S.C. § 112, second paragraph, and are patentable over the teachings of the prior art relied upon by the Examiner. Accordingly, favorable reconsideration of the claims is requested in light of the preceding amendments and remarks. Allowance of the claims is courteously solicited.

To the extent necessary, a petition for an extension of time under 37 CFR 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including

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extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,  
McDERMOTT, WILL & EMERY

A handwritten signature in black ink, appearing to read "Cameron K. Weiffenbach". The signature is fluid and cursive, with the first name "Cameron" being more prominent.

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